## SHELBY COUNTY BOARD OF COMMISSIONERS AGENDA ROUTE SHEET

Referred to Commission Committee (name) Legislative

For Commission Action on (date) November 12, 2008

RESOLUTION BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, REQUESTING THE MEMBERS OF THE TENNESSEE GENERAL ASSEMBLY TO SUPPORT LEGISLATION AMENDING TENNESSEE CODE ANNOTATED, TITLE 67, CHAPTER 5, SECTION 2509(d) RELATIVE TO CONVEYING PROPERTIES TO ADJOINING PROPERTY OWNERS. SPONSORED BY COMMISSIONER HENRI BROOKS.

CHECK ALL THAT	APPLY BELOW:		
X_ This Action	does NOT require expenditure of funds.		
This Item red	quires/approves expenditure of funds as follows (con	nplete all that a	apply):
County General Fundament	ds: \$: County CIP Funds: \$		
State Grant Funds: \$	S: State Gas Tax Funds: \$		
Federal Grant Funds	s: \$		
Other funds (Specify	source and amount): \$		
Other pass-thru fund	s (Specify source and amount): \$		
Originating Departr	ment:Land Bank		
APPROVAL:			
Dept. Head:	(Type your name & phone #.)	(Initials)	\(Date)
Elected Official:	(Type your name & phone #.)	(Initials)	\(Date)
Division Director:	Type your name & phone #.)	(Initials)	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
CIP – A&F Director:	(Type your name & phone #.)	(Initials)	\(Date)
Finance Dept.:	Type your name & phone #.)	\ MAS (Initials)	(Date)
County Attorney:	Christy Kinard 545-4233 (Type your name & phone #.)	(Initials)	//-04-08 (Date)
CAO/Mayor:	James F. Huntzicker 546-4614	(nitials)	(Date)

#### **SUMMARY SHEET**

## I. Description of Item

Resolution requesting members of the Tennessee General Assembly to support legislation amending Tennessee Code Annotated, Title 67, Chapter 5, Section 2509(d) relative to conveying properties to adjoining property owners.

Land is one of the most important factors in local economic development today and must be managed well to improve existing land use practices, enhance livability of communities, and support local community development. Local municipalities must use their own resources to clean and maintain tax delinquent properties as part of their nuisance abatement responsibilities to protect the public health, safety, and welfare of its community. Shelby County currently owns small parcels of land that are non-buildable lots. There is currently no way to dispose of these non-buildable lots other than selling the property. Shelby County wishes to have the authority to gift non-buildable vacant lots to adjoining property owners.

## II. Source and Amount of Funding

Not applicable.

#### III. Contract Items

Not applicable.

## IV. Additional Information Relevant to Approval of this Item

Text of proposed legislation is attached.

	Assistant County Attorney		
A RESOLUTION BY THE BOARD OF COMMISSIONERS OF REQUESTING THE MEMBERS OF THE TENNESSEE GENI LEGISLATION AMENDING TENNESSEE CODE ANNOTATE 2509(d) RELATIVE TO CONVEYING PROPERTIES TO A SPONSORED BY COMMISSIONER HENRI BROOKS.	ERAL ASSEMBLY TO SUPPORT TED, TITLE 67, CHAPTER 5, SECTION		
WHEREAS, Land is one of the most important factor must be managed well to improve existing land use pract support local community development; and			
<b>WHEREAS,</b> When there are vacant and abandon property owners and the municipalities incur significant cost			
<b>WHEREAS</b> , Vacant properties drive down the surreproperty taxes that most municipalities rely on as a primary			
<b>WHEREAS</b> , local municipalities must use their of delinquent properties as part of their nuisance abatement safety, and welfare of its community; and			
WHEREAS, Shelby County currently owns small parcels of land that are non-buildable lots; and			
WHEREAS,  There is currently no way to dispose of these non-buildable lots other than selling the property; and			
WHEREAS, Shelby County wishes to have the authority to gift non-buildable vacant lots tadjoining property owners; and			
<b>WHEREAS</b> , the Board of County Commissioners of 3 appropriate that a resolution be passed requesting the Tennessee Code Annotated, Title 67, Chapter 5, Section adjoining property owners.	e Tennessee General Assembly to amend		
NOW, THEREFORE, BE IT RESOLVED BY THE ECOUNTY, TENNESSEE, that this Board, after careful consists Legislative Delegation and members of the Tennessee Gen Tennessee Code Annotated, Title 67, Chapter 5, Section 2 and made a part hereof, amending Tennessee Code Annotation property owners.	ideration hereby requests the Shelby County neral Assembly to enact legislation amending 2509(d), a copy of which is attached hereto		
<b>BE IT FURTHER RESOLVED,</b> that the Shelby Couthe Tennessee General Assembly be made aware of this rec	unty Legislative Delegation and members of quest by copy of this resolution.		
<b>BE IT FURTHER RESOLVED</b> , that this resolution welfare requiring the same.	on shall take effect immediately, the public		
A C Whar	rton, Jr., County Mayor		
Date:			
ATTEST:			
ADOPTED:	County Commission		

PREPARED BY: Kimbra Toney-Bernard

ITEM NO: \_\_\_\_\_



AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Section 2509(d), relative to conveying properties to adjoining property owners.

# BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

Section 1. Tennessee Code Annotated Section 67-5-2509(d) is hereby amended by adding the following as a newly designated subsection:

In any county having a population in excess of eight hundred thousand (800,000), according to the 2000 federal census or any subsequent federal census, in lieu of the sale to private purchasers as provided in subsection (b), the proper officers of the municipality or county may convey properties with road frontage no greater than 24 feet acquired in tax sales to adjoining property owners upon establishing a Fair Market Value ("FMV"), based upon both value enhancing and value decreasing factors, after the adjoining property owner has made sufficient in-kind payments, including, but not limited to, (1) cutting, cleaning or improving the property; (2) accepting general liability for the premises; and (3) paying any necessary charges for the consolidation of the property with their adjoining lot. Said actual or in-kind payments shall be equal to the FMV established for the property.

Section 2. This Act shall take effect July 1, 2009, the public welfare requiring it.